

## MINUTES OF THE SPECIAL COUNCIL MEETING

August 27, 2025

At 4:02 P.M. the meeting was called to order by Mayor Rod Plank.

A roll call of the Council resulted as follows:

Jenifer Cardenas  
Ron Mercado  
Dennis Norris  
Lori Teeters

Officers Present: Clerk/Treasurer Lindsay Strobel

Absent: Terry Douglas, Jerry Cobb

Councilmember Mercado led in the Pledge of Allegiance.

### **NEW BUSINESS**

#### **Consideration on Resolution 2025-07 Official Ballot Language for November 4, 2025**

**Councilmember Mercado moved to read Resolution 2025-07 by title only. Motion was seconded by Councilmember Cardenas. Motion carried.**

#### *RESOLUTION NO. 2025-07*

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLOGG, IDAHO, CALLING AN ELECTION FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF INCREASING FRANCHISE FEES ASSESSED ON GROSS REVENUES OF GAS, ELECTRIC, AND CABLE TELEVISIONS SERVICES; ESTABLISHING AN ELECTION DATE; PROVIDING FOR ADMINISTRATION OF THE ELECTION; APPROVING A FORM OF BALLOT PROPOSITION; PROVIDING FOR REGISTRATION OF VOTERS; PROVIDING FOR RELATED MATTERS; PROVIDING FOR PUBLIC NOTICE; AND PROVIDING AN EFFECTIVE DATE.***

***WHEREAS, the City of KELLOGG, Idaho (the "City"), is a municipal corporation duly organized and operating under the laws of the State of Idaho; and***

***WHEREAS, Section 50-329A, Idaho Code, Franchise Ordinances – Fees provides that cities may include franchise fees on franchises granted to public services providers; and***

***WHEREAS, The City is seeking to increase franchise fees assessed upon gross revenues of gas, electric, and cable television from one percent (1%) to three percent (3%) to offset the cost of increasing demands on its infrastructure and municipal services; and***

***WHEREAS, City Council has determined that is desirable to seek voter approval on said increase of franchise fees; and***

***WHEREAS, the County will conduct an election for the aforesaid purposes as required by Sections 50-1044 to 50-1046, Idaho Code.***

***NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KELLOGG:***

#### **Section 1: FRANCHISE ORDINANCES – FEES.**

***A. The Council hereby finds, determines, and declares that the City of Kellogg faces increasing demands on its infrastructure and municipal services. These demands, in part, result from the community's reliance on utility services—including gas, electric, and cable television—which are essential to both residents and the City's economic base. In order to more equitably distribute the cost of maintaining and improving these essential services, the Council finds it necessary and appropriate to increase the franchise fees applied to the gross revenues of utility providers operating within the City of Kellogg.***

***B. Subject to the approval of the franchise fee increase by the qualified electors voting at the election for which provision is hereinafter made, an ordinance amending ordinances pertaining to franchise fees agreements shall be adopted by City Council pursuant to the provisions of Sections 50-1046 to 50-1047, Idaho Code, as amended, shall take effect after the canvass of the returns of the regular election and compliance by the City with Section 50-1047, Idaho Code.***

#### **Section 2: ELECTION**

***An election shall be held within the City to be held on Tuesday, November 4<sup>th</sup>, 2025 for the purpose of enabling the qualified electors of the City to vote upon the proposition set forth in Section 4 hereof. Only those qualified electors of the City casting valid ballots upon the proposition set forth in Section 4 of this Resolution shall be counted in determining the number of qualified electors voting at or participating in the election.***

#### **Section 3: ADMINISTRATION OF ELECTION**

***The administration of the election shall be conducted in accordance with Chapter 4 of Title 50 of Idaho Code, Chapter 14 of Title 34 of Idaho Code, and in accordance with this Resolution. The supervision and administration of the election and election laws shall be by the County Clerk as chief elections officer, in accordance with Idaho Code §50-403.***

Section 4: BALLOT PROPOSITION  
The ballot proposition for the election shall be in substantially the following form:

OFFICIAL BALLOT  
CITY OF KELLOGG  
SHOSHONE COUNTY, IDAHO  
NOVEMBER 4<sup>th</sup>, 2025

**Franchise Fees.**  
Franchise fees are collected by utility providers for their use of public rights-of-way. The City of Kellogg ("City") is requesting authorization to increase franchise fees being collected by the City from providers who supply services such as electric, gas, and cable television from one percent (1%) to three percent (3%). A "yes" vote will **not** increase your property taxes.

INSTRUCTIONS: Vote on the following question by placing an X in the square according to the way you desire to vote on that question.

If you mistakenly tear, deface, wrongly mark or otherwise mutilate this ballot, return it to the election judge and get another.

**Question:**  
Shall the City of Kellogg increase franchise fees paid by utility providers to the City of Kellogg from one percent (1%) to three percent (3%)?

YES, I VOTE TO INCREASE FRANCHISE FEES TO THREE PERCENT (3%).	<input type="checkbox"/>
NO, FRANCHISE FEES WILL REMAIN AT THEIR CURRENT RATES.	<input type="checkbox"/>

Effective upon approval by a majority of the registered voters that vote on this ballot.

PRECINCT 08

(End form of official ballot for the general election)

Section 5: NOTICE OF GENERAL ELECTION  
The Notice of General Election shall be substantially the following form:

Pursuant to the laws of the State of Idaho and Resolution No. 2025-07 of the Council of the City of Kellogg, Shoshone County Idaho, ("the City") adopted August 27<sup>th</sup>, 2025, notice is hereby given that an election will be held in the City on Tuesday, November 4<sup>th</sup>, 2025, beginning at the hour of 8:00 a.m. and closing at the hour of 8:00 p.m. on the question whether the City shall be empowered to amend ordinances providing for a two percent (2%) increase to existing franchise fees assessed on gross revenues of gas, electric, and cable television services provided in the city of Kellogg.

Said election shall be held at the regular polling places for elections for the City in Shoshone County, Idaho (or by mail), as indicated below:

[Shoshone County Clerk to insert precincts and absentee voting material]

(End form of Notice of General Election)

Section 6: QUALIFIED ELECTORS  
Every person eighteen (18) years of age or older, who at the time of the specified election is a United States citizen who has been a legal and bona fide resident of the City for at least 30 days immediately preceding the date of the election, if properly registered as required by law, shall be qualified to vote at said election.

Section 7: REGISTRATION  
All electors must be registered to vote at said election. Voter registration shall be conducted pursuant to the provisions of Section 34-1402, Idaho Code.

No qualified elector who is duly registered as a voter, and who continues to reside at the same address or within the same precinct in which he or she is registered, shall be required to re-register.

Persons who are eligible to vote may register for the election at the office of the Shoshone County Clerk. Any elector who will complete his or her residence requirement or attain the requisite voting age during the period when the register of electors is closed may register prior to the closing of the register.

Any person who is eligible to vote may register on election day by appearing in person at the polling place established for the election, by completing a registration card, making an oath on the form prescribed by law, and providing proof of residence in the manner provided by Section 34-408A, Idaho Code, as amended.

Section 8: OFFICERS AUTHORIZED  
The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9: RATIFICATION  
All actions heretofore taken, not inconsistent with the provisions of this Resolution, by the Mayor and Council directed toward the holding of the election called for herein, are hereby ratified, approved, and confirmed.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2025.

By \_\_\_\_\_  
Terry Dougals, Mayor Pro-Tem

ATTEST:

\_\_\_\_\_  
Lindsay Strobel, Clerk/Treasurer

*Councilmember Mercado moved to adopt the Resolution. Motion was seconded by Councilmember Cardenas. A roll call vote of the Council resulted as follows:*

*Teeters –Aye  
Mercado – Aye  
Douglas –Absent*

*Norris – Aye  
Cardenas - Aye  
Cobb- Absent*

*Motion carried*

*Consideration on September Council Meeting Date of 9/17/2025*


*The City Clerk and Mayor will be out of town on the regular Council meeting date of September 10, 2025.*

*Councilmember Cardenas moved to reschedule the September 2025 Council meeting to September 17. Motion was seconded by Councilmember Mercado. Motion carried.*

*There being no further business, the meeting was adjourned at 4:06 pm. The Council will meet at the regular time in September 2025.*

  
\_\_\_\_\_  
Mayor, Rod Plank

ATTEST:

  
\_\_\_\_\_  
Lindsay Strobel, City Clerk/Treasurer